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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/971,999	10/05/2001	Diane L. Peterson	ATTA-25,123	4951
25883	7590	09/20/2004	EXAMINER	
HOWISON & ARNOTT, L.L.P.			PEZZLO, JOHN	
P.O. BOX 741715			ART UNIT	
DALLAS, TX 75374-1715			PAPER NUMBER	
			2662	

DATE MAILED: 09/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/971,999

Applicant(s)

PETERSON, DIANE L.

Examiner

John Pezzlo

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 10 and 13-15 is/are rejected.
- 7) ☒ Claim(s) 3-9, 11 and 12 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

- I. Claims 2, 5, and 15 are objected to because of the following informalities:
1. Regarding claims 2 and 5 – Both claims are missing a period at the end of the claim.
 2. Regarding claim 15 – Line 2, "t he" needs to be corrected.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- II. Claims 1, 2, and 13-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Sampson et al. (US 5,802,499) hereinafter Sampson.
1. Regarding claims 1 and 2 – Sampson discloses determining when a transaction has been initiated from the first location and has been transferred to the one of the intermediate nodes in the network, refer to column 12 lines 1 to 21 and column 36 lines 1 to 37 and column 47 lines 35 to 65 and column 48 lines 37 to 60 and column 58 lines 44 to 57 and column 67 lines 34 to 67.

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Sampson discloses logging the initiation of the transaction at a central location on the network, refer to column 12 lines 1 to 21 and column 36 lines 1 to 37 and column 47 lines 35 to 65 and column 48 lines 37 to 60 and column 58 lines 44 to 57.

Sampson discloses determining when the initiated transaction has been completed by transfer of the processed data to the second location on the network from the last of the intermediate nodes in the network that has operated on the data and logging the completion of the transaction at the central location on the network, refer to column 12 lines 1 to 21 and column 36 lines 1 to 37 and column 47 lines 35 to 65 and column 48 lines 37 to 60 and column 58 lines 44 to 57.

2. Regarding claims 13 and 14 – Sampson discloses there is a plurality of data associated with each of the transactions and transaction parameters associated therewith to define the transaction in the system, and further comprising the step of storing the plurality of data associated with each of the transactions and transaction parameters associated therewith in an archive, refer to Figures 3 and 4A and 9 and column 13 lines 15 to 67 and column 14 and column 38 lines 30 to 67 and column 39 lines 1 to 35.

3. Regarding claim 15 – Sampson discloses filtering the logged information and storing the filtered logged information in an external log and allowing restricted access thereto by an external system for review thereof, refer to Figures 3 and 4A and 9 and column 13 lines 15 to 67 and column 14 and column 38 lines 30 to 67 and column 39 lines 1 to 35 and column 59 lines 10 to 43.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

III. Claims 3 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sampson (same as above).

1. Regarding claims 3 and 10 – Sampson discloses initiating a process and transferring the information to another node and informing the central processor.

Sampson does not expressly disclose monitoring the length of time that the initiated one of the plurality of processes requires for completion at the given one of the intermediate nodes.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to monitor the length of time that the transaction requires in order to determine if a failure has occurred which would effect the credit transactions. The suggestion/motivation for doing so would have been that Sampson looks for erroneous entries and calculates timestamps therefore monitoring the length of time would provide for an indication of a failure in order to take corrective action.

Allowable Subject Matter

Claims 4-9, 11, and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Sonesh et al. (US 6,046,762) discloses a multimedia telecommunication automatic call distribution system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Pezzlo whose telephone number is (571) 272-3090. The examiner can normally be reached on Monday to Friday from 8:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Any response to this action should be mailed to:

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Commissioner of Patents and Trademarks

Washington, D.C.

or faxed to:

(703) 872-9306

For informal or draft communications, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:

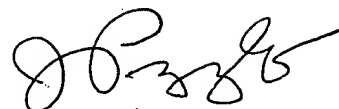
Jefferson Building

500 Dulany Street

Alexandria, VA.

John Pezzlo

17 September 2004



JOHN PEZZLO
PRIMARY EXAMINER